

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 30, 2002

DIVISION ONE

B138296 c/w B140555	Eugene Johnson, Jr. et al., v. Federal Home Loan Mortgage Corp. et al.	(Not for Publication)
---------------------------	------------------------------------------------------------------------------	-----------------------

The judgment and order are affirmed. Respondent(s) to recover costs.

Spencer, P.J.

I concur: Mallano, J.

I concur in the judgment only: Vogel (Miriam A.), J.

B146464	Laura D. Zahn v. L.A. County Regional Planning Dept.	(Not for Publication)
---------	------------------------------------------------------------	-----------------------

The judgment is affirmed. Respondent(s) to recover costs.

Spencer, P.J.

I concur: Mallano, J.

I concur in the judgment only: Vogel (Miriam A.), J.

DIVISION ONE (Continued)

B147662 Paradigm Enterprises, Inc, et al. (Not for
Publication)

v.
Robinson, Diamant & Brill et al.

Defendants' cross-appeal is dismissed. Plaintiffs Paradigm Enterprises, Inc.
and Gerald S. Weisstein are awarded costs on the cross-appeal.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B152421 People (Not for Publication)
v.
Oscar Valenzuela

The judgment is affirmed.

Mallano, J.

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

DIVISION ONE (Continued)

B148764 People (Not for Publication)
v.
Genoa Dill Sr.

The one-year four-months great bodily injury enhancement term pertaining to count 4 is stricken, resulting in a total sentence of 13 years 10 months. The trial court is directed to prepare a corrected abstract of judgment and forward it to the Department of Corrections. As modified, the judgment is affirmed.

Mallano, J.

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

B152267 People (Not for Publication)
v.
Hector J.

The judgment is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Mallano, J.

DIVISION TWO

B152328 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Loretta S., et al.

The orders appealed from are affirmed.

Nott, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

B150869 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Ron A.

The appeal from the temporary restraining order is dismissed. The three-year restraining order is affirmed.

Nott, J.

We concur: Boren, P.J.
 Doi Todd, J.

B151634 People (Not for Publication)
 v.
 Embry, Jr.,

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION THREE

B147984 People
v.

(Certified for Publication)

Duran, et al.

The judgment for appellant Fonseca is modified as set forth herein. The clerk of the superior court is directed to prepare an amended abstract of judgment for Fonseca consistent with the opinions set forth herein and to forward a copy to the Department of Corrections. In all other respects, the judgments are affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

B144259 Cynthia Swink
v.
County of Los Angeles

(Not for Publication)

The judgment is affirmed. Respondent(s) to recover costs.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

April 30, 2002-Continued

DIVISION THREE (Continued)

B150142 Catalina Investments, Inc. (Certified for Publication)
v.
Bill Jones, Secretary of State of

The judgment is affirmed. Respondent(s) to recover costs.

Klein, P.J.

We concur: Croskey, J.
Aldrich, J.

B144259 Cynthia Swink (Not for Publication)
v.
County of Los Angeles

The judgment is affirmed. Respondent(s) to recover costs.

Klein, P.J.

We concur: Croskey, J.
Kitching, J.

B151190 Bridgestone Corp.
v.
Superior Court, Los Angeles County
(T & T Truck & Crane Service, Inc., r.p.i.)

Filed order vacating submission order of January 29, 2002.
due to the press of other court business and the complexity of
the issues. Cause resubmitted.

DIVISION THREE (Continued)

B149309 Rhonda Polite (Not for Publication)
v.
Sandra Greeman

The judgment is affirmed. Respondent(s) to recover costs.

Kitching, J.

We concur: Croskey, Acting P.J.
Aldrich, J.

B151925 People (Not for Publication)
v.
Wilson

The judgment is modified to show an award of 558 days of presentence custody credit, and the trial court is ordered to prepare an amended abstract of judgment reflecting these modifications, and to send a certified copy of the amended abstract of judgment to the Department of Corrections. As modified, the judgment is otherwise affirmed.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION THREE (Continued)

B148818 City of Hermosa Beach (Not for Publication)
 v.
 Roger Creighton

The judgment is affirmed. The City shall recover its costs on appeal.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B144481 Jeanetta E. Marriott (Not for Publication)
 v.
 Walter Mariott III

The judgment is affirmed. Respondent(s) to recover costs.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B146383 Belfiore, et al. (Certified for Publication)
 v.
 Hoffman, et al.

The order is reversed with directions to enter an order determining that the proposed petition to remove the executors would not constitute a contest. Appellants shall recover their costs on appeal.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

DIVISION FOUR

B152417 People (Not for Publication)

v.

Avi M.

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Hastings, J.
 Curry, J.

B149475 Los Angeles County, D.C.S. (Not for Publication)

v.

Noemi S.

The orders are affirmed.

Curry, J.

We concur: Epstein, Acting P.J.
 Hastings, J.

DIVISION FIVE

B144733 Roger Proulx & Company (Certified for Publication)

v.

Crest-Liners, Inc. et al.,

The judgment is reversed. Appellant(s) to recover costs.

Mosk, J.

We concur: Turner, P.J.
 Armstrong, J.

DIVISION FIVE (Continued)

B150178 People (Not for Publication)
v.
Jerome Qualla

The trial court's ruling denying appellant's motion to suppress the knife is reversed. Appellant's no contest plea is vacated. The charge against him in this case is dismissed.

Armstrong, J.

I concur: Mosk, J.
I dissent: Turner, P.J. (Opinion)

B154172 People (Not for Publication)
v.
Rafael Lopez

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
 Mosk, J.

DIVISION SIX

[illegible]

The felony conviction for violating section 311.2, subdivision (b) (count 2) is ordered modified to a misdemeanor conviction of violating section 311.2, subdivision (c). As so modified, the judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

B149638 People v. Garcia

(Not for Publication)

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

DIVISION SEVEN

B146243 Russell Seheult (Certified for Publication)
v.
Jeffer, Mangels, Butler & Marmaro et al.,

The judgment is affirmed. Respondent(s) to recover costs.

Perluss, J.

I concur: Woods, J.
I dissent: Johnson, Acting P.J. (Opinion)

DIVISION SEVEN (Continued)

B152776 Youd
 v.
 Western International Media Corp.

B154893 Youd
 v.
 Western International Media Corp

B157047 Youd
 v.
 Western International Media Corp

Filed order consolidating above appeals.

B146501 Balassy
 v.
 Cammack

Filed order denying petition for rehearing.

DIVISION EIGHT

Court convened at 9:07 A.M.

Present: Cooper, P.J., Rubin, J., Boland, J. and Emma Jean Amos, Deputy Clerk.

Each of the following:

B150783 People v. Patton
B145601 People v. Ortiz
B149933 People v. Martinez
B150814 People v. Jiang
B150825 Longoria v. Opremcak
B152295 People v. Diaz
B152836 DCFS v. Victoria T.
B154657 DCFS v. Udell C.
B155782 Creg M. v. SCLA

Argument waived, cause submitted.

DIVISION EIGHT (Continued)

B151828 Jones et al.,
v.
Felder

Appearances:
Fesia A. Davenport for respondent and no appearance by counsel for
appellant . Argument waived, cause submitted.

B149884 Clarke
v.
Witkin & Eisenger, LLC

Merits:
Argued by John G. Burgee for appellant and by Valerie Lloyd for
respondents. Cause submitted.

B151240 Phillips
v.
Columbia West Hills Medical Center

Merits:
Argued by Steven E. Kushner for appellant and by Victor L. George for
respondent. Cause submitted.

B150408 Barry Richmond, D.P.M.
v.
California Department of Health Services

Merits:
Argued by Ronald C. Colton for appellant and by Kyungah Suk, deputy
attorney general, for respondent. Cause submitted.

B150746 Grubb & Ellis Company
v.
Maritz, Wolff & Company

Merits:
Argued by Kevin M. Fong for appellant and by Jules Zeman for
respondent. Cause submitted.

DIVISION EIGHT (Continued)

B149734 People
 v.
 Suen

Merits:

Argued by Dennis A. Fischer for appellant and by Zee Rodriguez, deputy attorney general, for respondent. Cause submitted.

B149008 Bonilla
 v.
 Franchise Tax Board

Oral argument continued to May 28, 2002 at 9:00 a.m.

Court recessed at 11:08 a.m.

Court reconvened at 1:05 P.M.

Present: Cooper, P.J., Rubin, J., Boland, J. and Emma Jean Amos, Deputy Clerk.

:

B148846 Kay et al.,
 v.
 Pasternak

Appearances:

Mark Krum for plaintiff and appellant and no appearances by David J. Pasternak for . Argument waived, cause submitted.

B147408 Stroock & Stroock & Lavan LLP
 v.
 Tendler et al.,
 Rosen

Merits:

Argued by Deborah Drooz for appellant and by Craig A. Kegel and Edith Matthal for respondents. Cause submitted.

Court Adjourned at 2:07 P.M.